

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

TRULA SAMUEL, Individually and as	}	
Representative of THE ESTATE OF FRANK	}	
SAMUEL and JOHNNY SAMUEL	}	
	}	
Plaintiffs,	}	
	}	
vs.	}	CIVIL ACTION NO. H-06-899
	}	
UNITED STATES OF AMERICA	}	
	}	
Defendant	}	

MEDIATION ORDER

The court has determined that this case is appropriate for referral to mediation under Local Rule 16 and refers the case to the following mediator:

Henry J. Blum
2211 Norfolk Street, Suite 620
Houston, Texas 77098
Telephone: 713-522-3395
Fascimile: 713-522-3396

Mediation is a mandatory but nonbinding settlement conference in which the parties attempt to resolve their differences with the assistance of a third-party mediator.

Within 10 business days from the date of this order, all counsel must contact the mediator to arrange the details of mediation. If the parties and mediator cannot agree on a date, the mediator will select a date, and the parties must appear as directed by the mediator. Mediation must occur no later than July 15, 2005.

All proceedings in a mediation session are confidential and privileged from discovery. No subpoena, summons, or discovery paper shall be served at or near the location of any mediation session, upon any person entering, leaving, or attending any mediation session.

Counsel and the parties are to endeavor in good faith to resolve the case through mediation. Each party who is a natural person must be present during the entire mediation. Each party that is not a natural person must be represented by a principal, partner, officer, or official with authority to negotiate a settlement. If one or more insurance companies must be involved in a settlement of the case, a representative from each insurance company with authority to negotiate a settlement shall be present during the mediation.

The mediator and the parties will determine the fee for the mediation. The fee is to be divided and borne equally by the parties unless otherwise agreed or ordered.

Within 10 days after the mediation, the mediator will file with the Clerk the memorandum required by Local Rule 16.4.K. No information about the mediation, other than that required by Local Rule 16, may be given to the court by anyone.

Signed at Houston, Texas, this 12th day of June, 2006.


MELINDA HARMON
UNITED STATES DISTRICT JUDGE